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LETTER DATED 4 MAY 1999 FROM THE CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO SECURITY COUNCIL RESOLUTION 864 (1993) CONCERNING THE SITUATION IN ANGOLA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of a conceptual framework for the expert studies to be undertaken to trace violations in arms trafficking, oil supplies and the diamond trade, as well as the movement of UNITA funds. The commissioning of these expert studies was one of the proposals contained in the Committee's report of 12 February 1999 to the Security Council (S/1999/147) for improving implementation of the measures imposed on UNITA. The framework for the expert studies was approved by members of the Committee.

(Signed) Robert R. FOWLER
Chairman
Security Council Committee established
pursuant to resolution 864 (1993)
concerning the situation in Angola

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Annex

Proposed expert studies: conceptual framework

1. In its report of 12 February 1999 (S/1999/147) the Security Council Committee established pursuant to resolution 864 (1993) concerning Angola proposed that expert studies be commissioned, pursuant to the Secretary-General's recommendation, to trace violations in arms trafficking, oil supplies and the diamond trade, as well as the movement of União Nacional para a Independência Total de Angola (UNITA) funds. The recommendations contained in the report were endorsed by the Security Council in its resolution 1229 (1999) of 26 February 1999.

2. The Chairman of the Committee recommends that the proposed expert studies be conducted in two parts, concurrently or sequentially:

(a) One expert panel, on the sources of revenue, funding and petroleum supplies of UNITA, would focus on the resources that enable UNITA to operate and would encompass violations of sanctions on the direct or indirect export of diamonds by UNITA,[1] the sale or supply of petroleum and petroleum products to UNITA[2] and the provision or movement of funds and financial resources to UNITA.[3]

(b) The other expert panel, on the sources of military support to UNITA, would study violations of Council-imposed sanctions on the sale or supply to UNITA of arms and related matériél and military assistance, including mercenaries.[2]

The expert panels would have a mandate to collect information on the sources and methods of violations of the relevant Council sanctions against UNITA and to recommend measures to end those violations and to improve the implementation of the sanctions. The precise mandate would be set out in an enabling resolution of the Security Council.

3. The panels would operate concurrently, if the resources at the Committee's disposal permitted. If sufficient resources were not available, the expert panel on the sources of revenue, funding and petroleum supplies of UNITA could be established in the first instance, the establishment of the second panel being deferred until additional resources had been secured. This would ensure that the studies could be initiated at the earliest possible opportunity.

4. Each panel would have a mandate of six months' duration. The mandates would be renewable, upon the recommendation of the Committee and the decision of the Council.

5. The expert panel on the sources of revenue, funding and petroleum supplies of UNITA would include up to six members. That on the sources of military support to UNITA would include up to four members. Members would be selected on the basis of expertise, due regard also being given to balance of representation.

6. The Chairman of the Committee established pursuant to Security Council resolution 864 (1993) would provide oversight of the expert studies. The panels would be under the day-to-day management of a Chairman of appropriate rank and stature. If necessary, a Vice-Chairman would be appointed to assist the panel Chairman in the day-to-day management of one of the two panels. The panel Chairman and Vice-Chairman would be named by the Chairman of the Committee in consultation with the Committee. The Chairman of the Committee would regularly inform the Committee of the progress of the panels.

7. One of the Committee's two Vice-Chairmen would be associated with each panel in an ex officio capacity, as an additional source of diplomatic advice. The Permanent Representative of Argentina would be associated with the expert panel on the sources of revenue, funding and petroleum supplies of UNITA. The Permanent Representative of Malaysia would be associated with the expert panel on the sources of military support to UNITA. Such association would have the incidental advantage of ensuring that any relevant information obtained in the course of the expert panels' work could be brought to the attention of the Committee established pursuant to Security Council resolution 918 (1994) concerning Rwanda, chaired by Ambassador Hasmy (Malaysia), and the Committee established pursuant to Security Council resolution 1132 (1997) concerning Sierra Leone, chaired by Ambassador Petrella (Argentina).

8. The Secretariat would be responsible for handling the administrative and personnel needs of the panel members. An assistant, responsible to the panel Chairman, would be appointed by the Secretariat to provide administrative support to the two panels and the panel members on a day-to-day basis. The panels would, in addition, draw on the substantive expertise of the Secretariat

9. The expert panels would be established by means of a resolution of the Security Council.

10. The expert panels would be supported as an expense of the Organization and through a United Nations trust fund established for this purpose.

Notes

[1] Security Council resolution 1173 (1998) of 12 June 1998, para. 12.

[2] Security Council resolution 864 (1993) of 15 September 1993, para. 19.

[3] Security Council resolution 1173 (1998), para. 11.